

SO ORDERED.

SIGNED this 8 day of May, 2018.



A handwritten signature in blue ink that reads "David M. Warren".

David M. Warren
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
NEW BERN DIVISION

IN RE:)	
)	
WANDA MARY TILTON,)	Case No. 18-00930-5-DMW
)	Chapter 13
Debtor.)	

ORDER GRANTING RELIEF FROM STAY AND TURNOVER ORDER

This matter coming on before the United States Bankruptcy Court upon the *Motion for Relief from Stay and Turnover Order* of Hyundai Lease Titling Trust ("Petitioner"), whereupon the Court makes the following findings of fact:

1. Petitioner is a party in interest in this proceeding, being the title owner of a leased 2016 Kia Soul 4dr Wagon, VIN No. KNDJN2A28G7241212 ("Leased Vehicle").
2. Petitioner's interest arises under a Closed End Motor Vehicle Lease entered into by Debtor on December 16, 2015.
3. Debtor filed for relief under Chapter 13 of the Bankruptcy Code on February 27, 2018, and indicated her desire to abandon the lease and the Leased Vehicle.
4. Prior to the bankruptcy filing, Debtor had partially defaulted on the payment due for September, 2017, and defaulted on the payment due for February, 2018, incurring pre-petition arrears in the amount of \$635.52.

5. Since the bankruptcy filing, Debtor has defaulted on the payments due for March and April, 2018, incurring post-petition arrears in the amount of \$925.14. Another payment of \$453.90 will come due on May 15, 2018.

6. Debtor has little equity in the Leased Vehicle, and Petitioner is not adequately protected.

7. Petitioner requires relief from stay so that it may repossess and sell/re-lease the Leased Vehicle.

8. Good cause exists for granting Petitioner relief from stay and a turnover order.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED as follows:

1. The automatic stay is lifted as to the Leased Vehicle, a 2016 Kia Soul 4dr Wagon, VIN No. KNDJN2A28G7241212, and Debtor is ordered to immediately deliver possession of the Leased Vehicle to Petitioner, so that Petitioner may sell/re-lease the Leased Vehicle.

2. The fourteen (14) day stay provided in Bankruptcy Rule 4001 (a)(3) is waived.

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